

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KEVIN JOSEPH SMITH,

Petitioner,

v.

SCOTT FRAKES,

Respondent.

Case No. C10-5921RJB/JRC


ORDER GRANTING
APPLICATION TO PROCEED IN
FORMA PAUPERIS

The petitioner in this action is seeking a habeas corpus relief from a state conviction. He is entitled to in forma pauperis status. This case has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §§ 636 (b) (1) (A) and (B) and Local Magistrate Judge's Rules MJR 3 and MJR 4.

Petitioner's application for leave to proceed in forma pauperis (ECF No. 1 AND 3) is **GRANTED**. Petitioner does not appear to have access to funds to afford the \$5.00 filing fee.

The Clerk is directed to mail a copy of this Order to petitioner.

Dated this 10th day of January 2011.



J. Richard Creatura
United States Magistrate Judge